

Practitioner's Docket No.: 868_012

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Noriaki KATO, Hiroshi NAGANO, Kaori TANIKO and Takahito JOMORI

Ser. No.: 10/587,320

Group Art Unit: 1618

Filed: May 10, 2007

Examiner: Nissa M. Westerberg

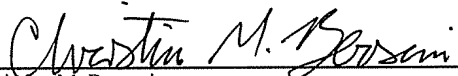
Confirmation No.: 4731

For: PROPHYLACTIC OR THERAPEUTIC AGENT FOR DIABETIC MACULOPATHY

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**CERTIFICATION OF EFS
TRANSMISSION**

I hereby certify that this paper is being transmitted via EFS to the Patent and Trademark Office on January 9, 2009.


Christina M. Bersani

**REQUEST FOR CONTINUED EXAMINATION
(37 CFR §1.114)**

1. Applicants hereby request continued examination, in accordance with 37 CFR §1.114, for the above identified application.
2. This request is being submitted:
 - i. ☒ Prior to abandonment of the application
 - ii. ☐ Payment of the issue fee
 - ☐ Prior to payment of issue fee
 - ☐ Issue fee has been paid but a petition under §1.313 was filed _____ (copy attached).
 - iii. ☐ Prior to a decision on appeal to the Board of Patent Appeals & Interferences
 - ☐ A notice is being separately sent to the Board of Patent Appeals & Interferences that this Request for Continued Examination is being filed.
 - iv. ☐ Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 145 or
 - ☐ Commencement of a civil action under 35 U.S.C. 146
 - ☐ Prior to the filing of such appeal or commencement of civil action
 - ☐ Such appeal or commencement of civil action has been terminated.

3. Please **Enter** and **Consider** the following *Previously Submitted Documents*:

☒ Amendment After Final Rejection filed December 11, 2008.

☐ Brief on Appeal filed _____.

☐ Other:

4. Enclosed herewith is/are:

☐ An Information Disclosure Statement and Form PTO-1449

☐ An Amendment

☐ New arguments

☐ New evidence in support of patentability

☐ Other:

5. The filing fee has been calculated as shown below:

RCE Filing Fee (37 CFR §1.17(e))						\$ 810.00
Claims	Claims Remaining After Amendment		Highest Number Previously Paid	No. of Extra Claims Present		
Total Claims	4	Minus	20	0	\$ 52.00	
Independent Claims	1	Minus	3	0	\$ 220.00	
Multiple Dependent Claim(s) (if applicable)						\$ 390.00
<p style="text-align: center;"><u>Extension of Term</u></p> <p>a. <input type="checkbox"/> Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.</p> <p>b. <input checked="" type="checkbox"/> Applicant petitions for an extension of time, the fees for which are set out in 37 CFR §1.17(a)(1)-(4), for the total number of months checked below: <input checked="" type="checkbox"/> One Month (37 CFR 1.17(a)(1)) \$ 130.00 <input type="checkbox"/> Two Months (37 CFR 1.17(a)(2)) \$ 490.00 <input type="checkbox"/> Three Months (37 CFR 1.17(a)(3)) \$1,110.00</p> <p>If an additional extension of time is required, please consider this a petition therefor.</p> <p><input type="checkbox"/> An extension for _____ months has already been secured, and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.</p>						\$ 130.00
TOTAL OF ABOVE CALCULATIONS =						\$ 940.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR §1.27.						
TOTAL FEES DUE =						\$ 940.00

6. Payment of Fees

☐ A check in the amount of \$_____ is enclosed.

☐ Charge Deposit Account 50-1446 in the amount of \$_____.

☒ The Total Fees Due were paid via EFS on Form PTO-875.

7. Authorization to Charge Additional Fees or Credit Overpayment

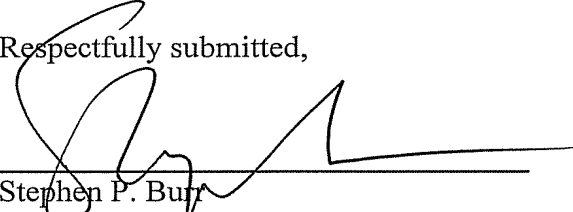
☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446:

☒ Any additional fees required under 37 CFR §1.17(e), §1.16(b)-(d) and/or §1.17(a)(1)-(4).

Respectfully submitted,

January 9, 2009

Date



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